

The Examiner has rejected claims 10, 38 and some of the claims dependent thereon as being anticipated by the newly cited Amundson reference. The Applicant respectfully traverses these rejections.

Briefly, the present application pertains to rate responsive pacemakers, and more particularly to a pacemaker wherein the pacing rate is controlled by a metabolic demand parameter, such as minute volume. Rate responsive pacemakers, per se, are not new. The present inventor has discovered that for optimal performance, the pacing rate should also be varied in synchronism with the respiration of the patient. More specifically, according to this invention, the pacing rate should be adjusted cyclically in such a manner that it follows the respiration. Independent claims 10 and 38 have been amended to recite this feature more clearly.

The Amundson reference discloses a rate responsive pacemaker wherein a respiration sensor is used as a metabolic demand indicator. For example, the response of this sensor is used to detect when the patient is exercising. However, this reference fails to teach the concept of adjusting the pacing rate in such a manner that it follows the patient's respiration.

Thus it is respectfully submitted that the subject application as claimed herein is patentably distinguishable and therefore it should be allowed.

The Commissioner is authorized to charge any additional fees to Account No. 07-1730.

Respectfully submitted,

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